



DEFENSE LOGISTICS AGENCY  
HEADQUARTERS  
8725 JOHN J. KINGMAN ROAD  
FORT BELVOIR, VIRGINIA 22060-6221

February 24, 2015

Dear Kevin Savetz;

This responds to the FOIA referral from the Federal Bureau of Investigation (FBI) containing one three-page record that was received by the Defense Logistics Agency (DLA) on January 30, 2015. Your June 25, 2014 FOIA request to the FBI was for records regarding Texas Instruments, Inc., from 1951 to 2000.

Our office conducted a review of the records referred from the FBI and are able to make a full release, see attached.

Fees to process your request totaling \$22.00 have been waived. Please include our case number HQ DLA-15-HFOI-00047 in any further correspondence.

If you have questions, please contact me at [Lewis.Oleinick@dla.mil](mailto:Lewis.Oleinick@dla.mil).

Sincerely,

**OLEINICK.LEWIS.  
W.1286751934**

Digitally signed by  
OLEINICK.LEWIS.W.1286751934  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=DLA, cn=OLEINICK.LEWIS.W.1286751934  
Date: 2015.02.25 10:46:11 -05'00'

Lewis Oleinick, CIPP/US/G  
Chief, FOIA & Privacy Act  
Defense Logistics Agency



DEFENSE LOGISTICS AGENCY  
HEADQUARTERS  
CAMERON STATION  
ALEXANDRIA, VIRGINIA 22304-6100



IN REPLY  
REFER TO DLA-J

22 MAR 1990

MEMORANDUM OF DECISION ON THE PROPOSED DEBARMENT OF ROBERT Y.  
HENSLEE

By certified letter dated 9 February 1990, the Defense Logistics Agency (DLA) notified Robert Y. Henslee that consideration was being given to debarring him from Government contracting and Government-approved subcontracting.

NOTICE OF PROPOSED DEBARMENT

The Notice of Proposed Debarment stated (1) that the proposed debarment of Robert Y. Henslee was based upon information which indicates that Mr. Henslee lacks the business integrity and present responsibility to be a Government contractor; and (2) that the proposed debarment was authorized by Federal Acquisition Regulation (FAR) Subpart 9.4, the Department of Defense FAR Supplement Subpart 209.4, and DoD 4160.21-M, Chapter XIX.

The Proposed Debarment was based on information indicating that on 27 October 1989, Robert Y. Henslee was convicted in the United States District Court for the Northern District of Texas on one count of subscribing to a false tax return in violation of 26 U.S.C. §7206(1), a felony conviction. The conviction resulted from a scheme Mr. Henslee devised to submit false bills to a Government contractor. The Notice of Proposed Debarment stated that these bills were included in overhead accounts indirectly charged to the Government.

CONTRACTOR'S RESPONSE

The Notice of Proposed Debarment invited Mr. Henslee, or a representative on his behalf, to submit within 30 days of the receipt of the Notice, information and argument in opposition to the proposed debarment. Respondent submitted information and argument in opposition to the proposed debarment by letter dated 14 March 1990. The response is summarized below:

1. There is a genuine dispute over whether Mr. Henslee's actions while employed at Texas Instruments had any impact, direct or indirect, on a government contract. The division at Texas Instruments responsible for government contracting is a division separate and apart from the division where Mr. Henslee was employed, and the overhead expenses for Mr. Henslee's division were not carried by the government contracting division.

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HENSLEE

2. The factual resume does not establish any connection between the tax evasion offense and government contracting. In fact it does not exist, and without it there are no grounds for debarment.

ANALYSIS

Respondent has argued that there was no connection between his criminal conduct and Government contracting, and therefore, that the conviction does not provide a cause for debarment. The statement in the Notice of Proposed Debarment that Mr. Henslee's criminal activity affected bills submitted to the Government is withdrawn. The decision set out below does not rest upon any connection between Mr. Henslee's conduct and bills submitted to the Government. The applicable regulations, however, require no such connection to support a debarment. FAR 9.406-2(a)(1) provides that the debarring official may debar a contractor convicted of a criminal offense in connection with obtaining, attempting to obtain, or performing a public contract. In addition, however, FAR 9.406-2(a)(4) provides that the debarring official may debar a contractor convicted of "any other offense" when the conviction indicates a lack of business integrity and honesty that directly affects the contractor's present responsibility. The Notice of Proposed Debarment specifically informed respondent that the conviction of respondent provided a cause for his debarment pursuant to FAR 9.406-2(a)(4).

Respondent has not disputed that on 27 October 1989, respondent was convicted in the United States District Court for the Northern District of Texas on one count of subscribing to a false tax return in violation of 26 U.S.C. §7206(1). Nor has Respondent submitted information or argument that lessens the force of the conviction as evidence that respondent lacks the business integrity and honesty required of Government contractors. DLA considers the conviction direct and compelling evidence that respondent lacks the business integrity and present responsibility the Government requires of its business partners.

FINDINGS

On the basis of all relevant information now available to me, I have made the findings and do issue the decision set out below. Each of the facts set forth as a cause for debarment is established by a preponderance of the evidence.

1. On 27 October 1989, Robert Y. Henslee was convicted in the United States District Court for the Northern District of Texas on one count of subscribing to a false tax return in violation of 26 U.S.C. §7206(1), a felony conviction.

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HENSLEE

2. The conviction of Robert Y. Henslee provides a cause for the debarment of Mr. Henslee pursuant to Federal Acquisition Regulation (FAR) 9.406-2(a)(4).

3. The criminal conduct of Robert Y. Henslee directly affects the present responsibility of Mr. Henslee to be a Government contractor or subcontractor and reflects negatively on the propriety of further Government business dealings with Mr. Henslee.

DECISION

Pursuant to the authority contained in the Federal Acquisition Regulation (FAR) Subpart 9.4, the Department of Defense FAR Supplement Subpart 209.4, and DoD 4160.21-M, Chapter XIX, and based on the findings herein, and the evidence contained in the administrative record, Robert Y. Henslee is hereby debarred effective this date and continuing through 8 February 1993. The debarment applies to both procurement and sales contracting and is effective throughout the executive branch of the Government unless the head of the agency taking the contracting action states in writing the compelling reason for continued business dealings between the agency and Mr. Henslee.



JANET C. COOK  
Special Assistant for  
Contracting Integrity